

CRL OP(MD). No.5091 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Date : 09/04/2025

PRESENT

THE HONOURABLE MR. JUSTICE R. SAKTHIVEL

CRL OP(MD). No.5091 of 2025

R. Ajatha Chathru,

... Petitioner/Sole Accused

Vs

The State of Tamil Nadu,,
Rep. by the Inspector of Police,
Thillai Nagar Police Station,
Tiruchirappalli District.
Crime No.103 of 2025..

... Respondent/Complainant

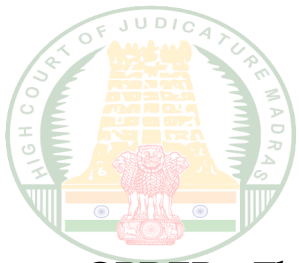
For Petitioner : Mr.V.Kannan,
Advocate.

For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

PETITION FOR ANTICIPATORY BAIL Under Sec.482 of BNSS

PRAYER :-

For Anticipatory Bail in Crime No. 103 of 2025 on the file of the respondent Police.



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ORDER: The Court made the following order :-

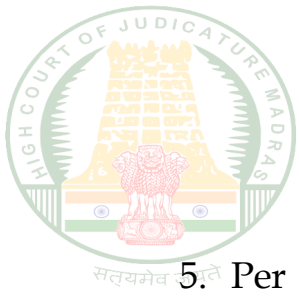
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This Criminal Original Petition has been filed by the petitioner on 18.03.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioner apprehends arrest at the hands of the respondent-Police for the offences punishable under Sections 465, 468 and 471 of IPC (equivalent to Sections 336(2), 336(3) and 340(2) of the BNS, 2023) r/w Section 12(1)(b) of the Passport Act, 1967 in Crime No.103 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that the petitioner has deliberately given false name of his mother, while seeking issuance of passport. Hence, the Assistant Passport Officer, lodged a complaint with the respondent Police. Hence, the complaint.

4. Mr.V.Kannan, the learned counsel for the petitioner, submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner is ready to abide by any conditions to be imposed by this Court. He further submits that the mother's name was wrongly mentioned in the passport and the same was rectified. He therefore prays for grant of pre-arrest bail to the petitioner.



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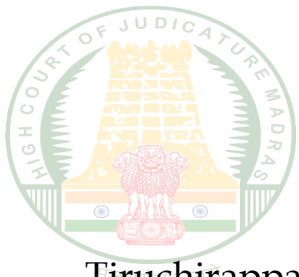
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5. Per contra, Mr.R.Meenakshi Sundaram, the learned Additional Public Prosecutor appearing for the respondent-police, submits that the investigation is already completed. However, he prays to dismiss this Criminal Original Petition.

6. Heard on both sides. This Court has perused the records.

7. Considering the nature of offence and taking note of the fact of this case, the custodial interrogation of the petitioner may not be required in this case, and the petitioner has permanent residence and deep roots in the society and therefore, there is less possibility of absconding, and also considering the fact that the mother's name was wrongly mentioned in the passport was rectified, and taking note of the fact that there are no previous cases against the petitioner and also with a view to give an opportunity to the petitioner to reform himself, this Court is inclined to grant pre-arrest bail to the petitioner. Accordingly, pre-arrest bail is granted to the petitioner subject to the following conditions:

(i) The petitioner shall be released on pre-arrest bail in the event of his arrest or in the event of his surrender before the learned Judicial Magistrate No.IV, Tiruchirappalli, within a period of 15 days from date on which the order copy is made ready, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) along with two sureties each for a like sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Judicial Magistrate No.IV,



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Tiruchirappalli,;

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(ii) The sureties shall affix their photographs and left thumb impression in the Application for Suretyship [Judicial Form No.46 annexed to 'The Criminal Rules of Practice, 2019']. The learned Judicial Magistrate No.IV, Tiruchirappalli, shall obtain a copy of any one of identity proofs to ensure their identity;

(iii) The petitioner shall appear and sign before the learned Judicial Magistrate No.IV, Tiruchirappalli, weekly twice (ie., on Monday and Friday) at 10.30 a.m., until further orders;

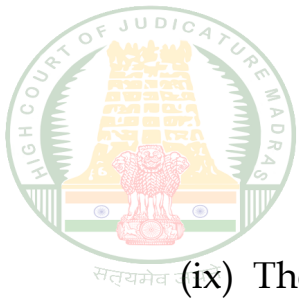
(iv) The petitioner shall make himself available for interrogation by a police officer as and when required;

(v) The petitioner shall not, directly or indirectly cause threat to the defacto complainant and the witnesses and shall not tamper the evidence;

(vi) The petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(vii) The petitioner shall not leave India without the previous permission of the Court;

(viii) The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate No.IV, Tiruchirappalli,;



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(ix) The petitioner shall not enter into the defacto complainant's house or workplace; and

(x) On breach of any of the aforementioned conditions, the learned Judicial Magistrate No.IV, Tiruchirappalli, or Trial Court, as the case may be, is entitled to pass appropriate orders against the petitioner in accordance with law as if the aforementioned conditions are imposed by him as laid down by the Hon'ble Supreme Court in P.K. Shaji vs. State of Kerala [(2005) 13 SCC 283].

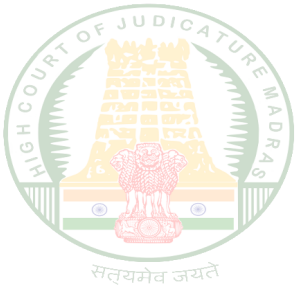
8. Accordingly, this Criminal Original Petition is allowed subject to the conditions stated supra.

sd/-
09/04/2025

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/05/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VSG



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TO

- 1.THE LEARNED JUDICIAL MAGISTRATE NO.IV,
TIRUCHIRAPPALLI.
 - 2.THE CHIEF JUDICIAL MAGISTRATE, TIRUCHIRAPPALLI.
 - 3.THE INSPECTOR OF POLICE,
THILLAI NAGAR POLICE STATION,
TIRUCHIRAPPALLI DISTRICT.
 - 4.THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1. CC to V.KANNAN Advocate SR.No.4161 (I)DT.09/04/2025
ORDER
IN
CRL OP(MD) No.5091 of 2025
Date :09/04/2025

PR/15.05 .2025 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023